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RECEIVED
IN CHAMBERS OF
HON. RAMON E. REYES, JR.

JUN 03 2010

TIME A.M. 10:00
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ORIGINAL DOCUMENT

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June 1, 2010

Magistrate Judge Ramon E. Reyes, Jr.
United States District Court
Eastern District of New York
225 Cadman Plaza East – Room N208
Brooklyn, NY 11201

**Re: Katz and Nocera v. Brown Harris Stevens
Brooklyn LLC, et al.
08CV 1698
Our File No.: 2306.00218**

Dear Judge Reyes:

Our law firm is defending an action that is pending in the Supreme Court of the State of New York, County of Kings. The action is entitled "Virginia Heffernan, et al. v. Andrew Korbel" and it bears index number 23437/07.

We are writing to you because we believe that certain evidentiary material obtained and used by the plaintiffs in the action we are defending may be violative of a confidentiality order that was issued in connection with the settlement of the above-captioned matter.

For obvious reasons, we were unable to obtain much information about the above-captioned matter, but a copy of the plaintiffs' Class Action Complaint was available on the internet and it indicated that the case was assigned to Judge Feuerstein and you. We also learned that the action was defended by the firm of Herrick Feinstein, but we were unable to obtain any specific information about the confidentiality order from their defense attorney except for the fact that a confidentiality order does exist.

The evidentiary material referred to above consists of one or more compact discs containing tape recorded conversations between Aileen Truesdale and Brian Lehner (both of Brown Harris Stevens) and various agents of the Fair Housing Justice Center, whose true identities were not revealed to Ms. Truesdale or Mr. Lehner when the conversations were recorded.

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For your information, the action we are defending is a claim by tenants of 145 State Street, Brooklyn, New York who claim that they were discriminated against by their landlord and that the discrimination had something to do with the fact that they had, or were expecting, a child. The 145 State Street premises is one of the locations with which the above-captioned case was concerned. However, we believe that the plaintiffs in the action being defended by our office had already moved from the premises before any of the conversations concerning 145 State Street were recorded.

We would appreciate it if you or one of your law clerks would let us know whether the plaintiffs' possession and use of the compact discs containing the recorded conversations violates the confidentiality order and, if so, whether any supplementary proceedings in the federal court would be in order. Also, if their possession and use of the compact discs violates the confidentiality order, we would greatly appreciate receiving a copy of the order so that appropriate action may be taken in the state court proceeding we are defending.

Thank you for your attention to the above.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael E. Stern". The signature is fluid and cursive, with the first name "Michael" being the most prominent.

MICHAEL E. STERN

MES/rss